



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 520

H.P. 403

House of Representatives, February 15, 2011

An Act To Allow a Waiver for On-premise Signs

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Clerk

Presented by Representative BEAULIEU of Auburn.
Cosponsored by Senator THOMAS of Somerset and
Representatives: BICKFORD of Auburn, BOLDUC of Auburn, CROCKETT of Bethel,
HOGAN of Old Orchard Beach, LAJOIE of Lewiston, ROSEN of Bucksport, WAGNER of
Lewiston, WEAVER of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 23 MRSA §1914, sub-§4**, as repealed and replaced by PL 1981, c. 318,
3 §4, is amended to read:

4 **4. Location, relation to public way.** ~~No on-premise~~ On-premise signs ~~may be~~
5 ~~permitted~~ are prohibited:

6 A. Within 33 feet of the center line of any public way if the highway is less than 66
7 feet in width;

8 B. ~~Within~~ Except as provided in subsection 4-A, within 20 feet from the outside edge
9 of the paved portion of any public way with more than 2 travel lanes and a total
10 paved portion in excess of 24 feet in width; ~~or~~ and

11 C. Within the full width of the right-of-way of any public way.

12 Paragraphs A and B ~~shall~~ do not apply to signs erected before September 1, 1957.

13 **Sec. 2. 23 MRSA §1914, sub-§4-A** is enacted to read:

14 **4-A. Waiver.** The commissioner may grant a person a written waiver of the
15 prohibition under subsection 4, paragraph B for an on-premise sign when the owner of
16 property on which the on-premise sign is to be located assumes all costs for removal and
17 installation of the on-premise sign and provides a written statement of this fact to the
18 registry of deeds for the county where the on-premise sign is to be located if:

19 A. The majority of on-premise signs on either edge of the public way within 1,000
20 feet of the location of the proposed on-premise sign are located within 20 feet from
21 the outside edge of the paved portion of the public way; or

22 B. The proposed on-premise sign replaces an existing on-premise sign at the same
23 location within 20 feet from the outside edge of the paved portion of the public way.

24 SUMMARY

25 Current law prohibits on-premise signs within 20 feet from the outside edge of the
26 paved portion of any state or state aid highway with more than 2 travel lanes and a total
27 paved portion in excess of 24 feet in width. This bill gives the Commissioner of
28 Transportation the authority to grant a person a waiver of this requirement if the majority
29 of on-premise signs on either edge of the public way within 1,000 feet of the location of
30 the proposed on-premise sign are located within 20 feet from the outside edge of the
31 paved portion of the public way or the proposed on-premise sign replaces an on-premise
32 sign at the same location within 20 feet from the outside edge of the paved portion of the
33 public way.

34 The bill also requires that the property owner assume all costs for removal and
35 installation of the on-premise sign and record this fact with the registry of deeds.